

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 13

Case No.: 16-41504-nhl

MANUEL D. ESTEVEZ

**THIRD AMENDED
CHAPTER 13 PLAN**

Debtor.

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1. The future earnings of the debtor are submitted to the supervision and control of the Trustee and the Debtor shall pay to the Trustee for a total period of 60 months, the sum of

\$1,450.00 commencing May 2016 through and including September 2016 and then

\$1,759.00 commencing October 2016 through and including April 2021

2. From the payments so received, the Trustee shall make disbursements, as follows:

(a) Full payment in deferred cash payments of all claims entitled to priority under 11 U.S.C. Section 507.

Attorney fees to Amy Berkowitz-Ortiz, Esq. of \$2,500.00 due under the Chapter 13 Plan.

(b) Holders of allowed secured claims shall retain the liens securing such claims and shall be paid as follows:

ALL POST-PETITION PAYMENTS, INCLUDING BUT NO LIMITED TO, MORTGAGE PAYMENTS, VEHICLE PAYMENTS, REAL ESTATE TAXES AND INCOME TAXES, TO BE MADE OUTSIDE THE PLAN BY THE DEBTOR.

Bayview Loan with account #5089, First Mortgage on Real Property located at 3460 111th Street, Corona, NY to be paid arrears in the amount of **\$82,771.47** over the life of the plan. Debtor will enter into loss mitigation in an attempt to modify this mortgage.

NYC Water Board to be paid in the amount of **\$6,866.57**.

Chase Mortgage, with account #5301, First Mortgage on Real Property located at 1077 Kelly Street, Bronx, NY is current.

All post-petition mortgage payments to remain current and paid outside the plan.

(c) Subsequent and/or concurrently with distribution to secured creditors, dividends to **unsecured creditors** whose claims are duly allowed as follows: Not less than 100%.

3. All lease agreements are hereby assumed, unless specifically rejected as follows:

NONE

4. During the pendency of this case, if unsecured creditors are paid, pursuant to paragraph 2(c), less than one hundred percent (100%), the debtor(s) shall provide the Trustee with signed copies of federal and state tax returns for each year, no later than April 15th of the year following the tax period. Indicated tax refunds are to be paid to the Trustee upon receipt; however, no later than June 15th of the year in which the tax returns are filed.

Title to the Debtor(s) property shall revert in the Debtor upon completion of the plan, unless otherwise provided in the Order confirming this plan. Throughout the term of this plan, the Debtor(s) will not incur post-petition debt over \$1,500.00 without written consent of the Chapter 13 Trustee of the Court.

/s/ Manuel D. Estevez
Debtor

Dated: September 9, 2016

/s/ Amy Berkowitz-Ortiz
Amy Berkowitz-Ortiz, Attorney for Debtor